

**17852. Adulteration and misbranding of Kelp-Ine. U. S. v. 8 Cans of Kelp-Ine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25088. I. S. No. 1391. S. No. 3367.)**

Examination of samples of Kelp-Ine showed that it was labeled as containing iodides or iodine, as being antiseptic and germicidal, and as possessing certain curative and remedial properties, whereas it contained no iodides or iodine, was not antiseptic or germicidal, and did not possess the curative and remedial properties claimed.

On September 6, 1930, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight cans of Kelp-Ine, remaining in the original unbroken packages at Sacramento, Calif., consigned by the Kelp-Ine Products Corporation of America, Seattle, Wash., alleging that the article had been shipped in interstate commerce from Seattle, Wash., to Sacramento, Calif., on or about June 27, 1930, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a potassium soap; iodine and iodides absent. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely: (Can label, circular, and round card inside can) "Antiseptic;" (circular and can label) "Germicide \* \* \* Sea Kelp Iodine."

Misbranding was alleged for the reason that the following statements appearing in the labeling were false and misleading: (Can label) "Iodide Germicide Antiseptic Superior to Soap \* \* \* From the sea \* \* \* Sea Kelp Iodine 'Better than Soap;'" (circular card in can) "This product possesses natural iodine \* \* \* and other wonderful salts from sea-kelp \* \* \* antiseptic;" (leaflet) "From The Sea Kelp-Ine Sea Kelp Iodine \* \* \* Modern science has discovered that Kelp—the chief deep sea vegetation—contains thirteen out of the fourteen elements that are necessary to the human body; \* \* \* Kelp-Ine is an amazing new product, a natural cleansing and healing agent made from Kelp. \* \* \* its remarkable germicidal and antiseptic qualities are due directly to properties derived from Mother Nature. \* \* \* 'Better Than Soap' \* \* \* Kelp-Ine possesses all the natural curative properties known to be present in sea plants. \* \* \* Iodine Content High. The principal ingredient beneficial to the human system in sea-kelp is natural or vegetable iodine \* \* \* Kelp-Ine with its natural iodine provides the ideal germicide and antiseptic that will go a long way in preventing the transmission of disease in the school, at home, in hotels and other public places. \* \* \* A Natural Cleansing and Healing Product from the Sea." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the articles, appearing in a leaflet entitled "From The Sea," inclosed in the shipping package, were false and fraudulent: "Iodine is the positive remedy discovered by science for the prevention and cure of simple goitre \* \* \* Kelp-Ine, in paste or liquid form, is made for washing the human body. Due to the great absorptive powers of the human skin, it is beneficial in cases of skin infection. 'Better Than Soap.' It is 'Better than Soap.' And for cuts, burns, rashes, scalds and cutaneous troubles, \* \* \* A famous physician has said, 'If you will place a wash bowl outside every school room, give a child a germicidal soap, and compel him or her to wash the hands before entering the room, you will cut down the spread of disease to the minimum.' \* \* \* 'Athlete's Foot,' spreading dangerously throughout the United States—and numbering millions of sufferers, can be easily eliminated and prevented by the use of Kelp-Ine in all athletic institutions. \* \* \* For Skin Infections \* \* \* Scalp Infections \* \* \* Foot Infections."

On December 6, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17853. Misbranding of Torpedo combination menthol inhaler and pencil, and Torpedo Volatex. U. S. v. ¼ Gross Torpedo Combination Menthol Inhaler and Pencil, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25417, 25418, 25419, 25420. I. S. Nos. 5220, 5221, 5222, 5223. S. Nos. 3622, 2623.)**

Examination of samples of the herein-described drug products having shown that the labels bore claims of curative and therapeutic properties that the